

PCS for HB 687

2022

1                   A bill to be entitled  
2       An act relating to free speech of health care  
3       practitioners; creating s. 456.61, F.S.; prohibiting  
4       certain entities from reprimanding, sanctioning, or  
5       revoking or threatening to revoke a license,  
6       certificate, or registration of a health care  
7       practitioner for specified use of his or her right of  
8       free speech without specified proof; requiring certain  
9       entities to provide to a health care practitioner any  
10      complaints within a specified timeframe; providing an  
11      effective date.

12  
13 Be It Enacted by the Legislature of the State of Florida:

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15       Section 1.   Section 456.61, Florida Statutes, is created to  
16   read:

17       456.61 Use of free speech by a health care practitioner;  
18 prohibition.— A board within the jurisdiction of the department,  
19 the department if there is no board, or a recognizing agency  
20 approved by the board under rule 64B15-14.001, Florida  
21 Administrative Code:

22       (1) May not reprimand, sanction, revoke, or threaten to  
23 revoke a license, certificate, or registration of a health care  
24 practitioner for exercising his or her constitutional right of  
25 free speech, including, but not limited to, speech through the

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26   use of a social media platform as defined in s. 501.2041, unless  
27   such entities prove beyond a reasonable doubt that the speech  
28   used by the health care practitioner led to the direct physical  
29   harm of a person with whom the health care practitioner had a  
30   practitioner-patient relationship within the 3 years immediately  
31   preceding the physical harm.

32       (2) Must provide a health care practitioner with any  
33   complaints received for which revocation actions may be in order  
34   within 7 days after receipt of such complaint.

35       Section 2. This act shall take effect July 1, 2022.